

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR110
)	
vs.)	ORDER
)	
LESLIE W. WULF,)	
)	
Defendant.)	

This matter is before the court on the joint oral motion to continue by defendant Leslie W. Wulf (Wulf) and the government made during a hearing before Magistrate Judge Gossett on June 28, 2006 (Filing No. 31). The parties seek a continuance of the trial of this matter scheduled for August 7, 2006. Wulf acknowledged on the record that he consented to the motion and acknowledged he understood the additional time may be excludable time for the purposes of the Speedy Trial Act.

IT IS ORDERED:

1. The parties' joint oral motion to continue trial is granted.
2. Trial of this matter is re-scheduled for **October 2, 2006**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 28, 2006 and October 2, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 28th day of June, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge